

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE AUTOHOP LITIGATION

This Document Relates To:

DISH Network L.L.C., 12 Civ. 4155 (LTS)
(KNF)

MASTER FILE

12 Civ. 4155 (LTS) (KNF)

**NOTICE OF MOTION OF DISH NETWORK LLC TO DISMISS
COUNT VII OF CBS CORPORATION'S AMENDED COUNTERCLAIMS**

PLEASE TAKE NOTICE that plaintiff/counterclaim defendant DISH Network L.L.C. (“DISH”), by its attorneys, Orrick Herrington & Sutcliff LLP, hereby moves this Court, before the Honorable Laura Taylor Swain at the Courthouse, 500 Pearl Street, New York, New York, Courtroom 11C, to dismiss Count VII of CBS Corporation’s (“CBS”) Amended Counterclaims under Federal Rules of Civil Procedure 12(b)(6) and 9(b).

PLEASE TAKE FURTHER NOTICE that, in support of this Motion, DISH has submitted the accompanying Memorandum of Law dated March 14, 2013; and the Declaration of Elyse D. Echtman dated March 14, 2013.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rule 6.1(b), papers opposing this Motion, if any, are required to be served upon the undersigned no later than fourteen days after service of this Motion, and reply papers are required to be served no later than seven days after service of answering papers.

Pursuant to the Court’s Individual Rules of Practice, counsel for DISH hereby certify that they have used their best efforts to meet and confer in writing and by telephone with counsel for CBS in order to try to informally resolve the matters raised by this Motion.

Dated: New York, New York
March 14, 2013

Respectfully submitted,

ORRICK HERRINGTON & SUTCLIFFE LLP



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